

Appl. No. 10/691,814
Amdt. dated Jan. 18, 2005
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REMARKS

I. Claim Rejections – 35 USC § 102

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Wojcicki et al. (US 5,190,522). Applicant respectfully traverses.

Amended claims 1 and 9 set forth a method wherein intra-catheter pressure is monitored for a time rate of change profile. Wojcicki et al. monitor a measured pressure for constant pressure and stroke volume. See, col. 5, lines 52-55. In fact, the device in Wojcicki operates such that pressure is tracked and controlled by increasing or decreasing the frequency of the pump cycles. See, col. 5, lines 6-17.

Accordingly, amended claims 1 and 9 are not anticipated by Wojcicki and the rejection should be withdrawn.

II. Claim Rejections – 35 USC § 103

Claims 2-8 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wojcicki et al., in view of Ward et al (US 5,713,923). Applicant respectfully traverses.

Ward is relied upon for the dosage ranges specified in the dependent claims to claims 1 and 9. However, as discusses above, neither Wojcicki nor Ward disclose a method wherein intra-catheter pressure is monitored for a time rate of change profile. Therefore, regardless of Ward's teachings with regard to dosage ranges, the combination of Wojcicki and Ward fails to provide the subject matter, as a whole, of claims 2-8 and 10-14.

Accordingly, claims 2-8 and 10-14 are not unpatentable for obviousness from Wojcicki in view of Ward and the rejection should be withdrawn.

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III. Conclusion

In view of the amendments to the claims and the remarks herein,
Applicant submits that all pending claims are now in form and condition for
allowance.

Respectfully submitted,

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